

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 16

June 18, 2004

**SUBJECT: THE LOS ANGELES DEPARTMENT OF TRANSPORTATION AS AN
OUTSIDE AGENCY - ESTABLISHED**

PURPOSE: The Los Angeles City Charter authorizes the Los Angeles Department of Transportation (LADOT) to enforce specific transportation related laws and ordinances. To fulfill this public safety responsibility, the LADOT employs Transportation Investigators as public officers to enforce laws related to public transportation and the theft of public transportation revenue. This Order establishes the LADOT as an outside agency and lists the responsibilities of LADOT Transportation Investigators.

PROCEDURE:

I. RECOGNIZED OUTSIDE AGENCY. In discharging their duties, LADOT Transportation Investigators interact with Department personnel. To facilitate a good working relationship, a Memorandum of Agreement (MOA) has been established between the Department and LADOT. The MOA officially recognizes LADOT Transportation Investigators as those employed by an "Outside Agency" with which the Department has established formal procedures as specified in Department Manual Section 4/801.

Public Officer's Powers. Section 830.7(h) of the California Penal Code grants LADOT Transportation Investigators with powers of arrest only while on duty and within the scope of their employment. Their authority is limited to enforcing laws related to public transportation and the theft of public transportation revenue.

Note: These powers of arrest are not extended to LADOT Traffic Officers (Parking Enforcement Officers), nor any LADOT employees other than Transportation Investigators.

The LADOT Transportation Investigators are not permitted to carry firearms on-duty or off-duty. This prohibition of the use of firearms does not limit or restrict the use of non-lethal or less-lethal weapons, in relation to LADOT policies and state law.

II. INVESTIGATIVE RESPONSIBILITY OF LADOT TRANSPORTATION INVESTIGATORS.

Transportation Investigators are responsible for the arrests of both felony and misdemeanor suspects, offenses related to public transportation, the protection of revenues derived from transportation sources (i.e., taxicabs and parking meters) and for all related investigations, reports, evidence seizures and booking of property.

Note: The Department shall conduct both the preliminary and the follow-up investigations of all felony crimes involving juveniles and crimes of violence involving the use of any weapon.

III. LADOT TRANSPORTATION INVESTIGATOR'S ARRESTEE BOOKINGS AT DEPARTMENT FACILITIES.

A. Bookings-General. The Area Detective Division watch commanders shall be responsible for booking and arrest report approval during Detective Division operational hours of 0600 to 0200 hours. Bookings made by LADOT Transportation Investigators outside these hours shall be approved by an Area or Jail Division watch commander. The Department shall furnish jail facilities for adult prisoners arrested by LADOT Transportation Investigators within the City.

All other booking procedures for LADOT Transportation Investigators shall be followed in accordance with Department Manual Section 4/860.

B. Evidence of Medical Treatment. Prior to booking a sick or injured person at any Los Angeles Police Department (LAPD) facility, the arresting Transportation Investigator shall provide evidence of medical treatment and medical authority to book, from a City approved contract hospital, to the approving LAPD Watch Commander.

C. Transportation of Adult Female Arrestees.

Transportation Investigator initiated arrests of adult females or others, which require transportation to an outside custodial facility, shall be the responsibility of the Transportation Investigator initiating the arrest.

D. Improper Arrests. When an LAPD supervisor becomes aware that an arrest effected by a Transportation Investigator appears improper, a request shall be made to have a Transportation Investigator supervisor immediately review the matter and consult with the concerned LAPD supervisor. It shall be the responsibility of the concerned watch commander to make the final determination on accepting custody of an arrestee.

E. Complaints of Misconduct. When members of this Department are made aware of an allegation of, or are witness to possible misconduct, or a prisoner complains of misconduct by a Transportation Investigator, the LAPD supervisor shall notify the Transportation Investigator supervisor. The Transportation Investigator shall have a LADOT supervisor respond and conduct an administrative investigation.

When misconduct constituting a crime is alleged against a Transportation Investigator, the concerned LAPD supervisor shall ensure that the appropriate crime report is taken. The commanding officer of the investigating division responsible for the follow-up investigation shall ensure that the report is forwarded to the Chief Transportation Investigator and the necessary information is provided to allow LADOT Investigators to conduct their parallel administrative investigation.

IV. EVIDENCE BOOKED BY LADOT INVESTIGATORS. Transportation Investigators shall be permitted to book evidence and property into the custody of this Department. The LADOT Transportation Investigators will be responsible for determining disposition instructions for property booked at a Department facility for situations which require no follow-up investigations by Department personnel.

Exception: The LADOT Transportation Investigators shall retain custody of evidence that is related to illegal taxi operations or evidence that is the property of the LADOT.

Department officers accepting custody of a LADOT Transportation Investigator's arrestee shall assume responsibility for all evidence and property associated with the arrest. The LADOT Transportation Investigators shall be provided with a copy of the Property Report, Form 10.1, or a copy of Receipt for Property Taken Into Custody, Form 10.10.

- V. **VEHICLE IMPOUNDS.** The LADOT Transportation Investigators may, when appropriate, cause vehicles to be impounded under the authority of Section 22651 of the California Vehicle Code (CVC).

Exception: This section does not authorize LADOT Transportation Investigators to enforce Section 14607.6 CVC (Impound and Forfeiture of Motor Vehicles) or Section 14602.6 CVC (30-Day Hold Vehicle Impound).

The investigator impounding the vehicle shall complete the required reports and make the necessary notifications. All requests for vehicle impound hearings involving LADOT Transportation Investigators shall be referred to the LADOT for handling.

Note: Department personnel shall not handle or process LADOT vehicle impounds.

- VI. **BOOKINGS BY LADOT TRANSPORTATION INVESTIGATORS.** When an arrestee is booked by a LADOT Transportation Investigator, the Department jailer shall insert the code "7292" in the box designated for the four-digit Decentralized Automated Booking Information System (DABIS), on the Los Angeles Consolidated Booking Form, Form 5.01.2.

AMENDMENTS: This Order amends Sections 4/801 and 4/865 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Special Operations Bureau, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

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June 18, 2004

WILLIAM J. BRATTON
Chief of Police

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